

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

NRC ENVIRONMENTAL  
SERVICES, INC., a  
Washington corporation,

No. 3:19-cv-01133-JR

Plaintiff,

v.

BARNARDS HOLDINGS, INC.,  
fka WATER TRUCK SERVICE, INC.,  
an Oregon corporation, and BOB  
JONAS, an individual domiciled in  
Oregon,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Russo issued a Findings and Recommendation (#29) on October 30, 2019, in which she recommends that this Court deny Plaintiffs' motion to dismiss portions of Defendants' third counterclaim. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-*


*Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Russo's Findings & Recommendation [29]. Accordingly, Plaintiff's motion to dismiss portions of Defendants' third counterclaim [22] is denied.

IT IS SO ORDERED.

DATED December 7, 2019.

  
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MARCO A. HERNANDEZ  
United States District Judge